

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:05CR426
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
JAMES L. BENNETT,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's motion for copies and to proceed in forma pauperis (Filing No. 71).

The requests for documents and for leave to proceed in forma pauperis are premature. Only once a defendant files a motion pursuant to 28 U.S.C. § 2255, and only if he has then been allowed to proceed with his § 2255 motion in forma pauperis, may the Court determine whether court documents may be provided to the defendant without cost. 28 U.S.C. § 2250.

If the Defendant wishes to purchase copies of his transcripts by providing payment in advance, he may write the court reporter, Ms. Brenda Fauber, 118 S. 18th Plaza, Suite 3129, Omaha, NE 68102, and obtain the current cost and additional information.

The Clerk will be directed to mail the Defendant a copy of his Judgment.

IT IS ORDERED:

1. The Defendant's motion for copies and for leave to proceed in forma pauperis (Filing No. 71) is granted in part and denied in part as follows:
 - a. The Clerk is directed to mail the Defendant a copy of his Judgment (Filing No. 49) at his last known address;
 - b. Otherwise, the motion is denied; and

2. The Clerk is directed to mail the Defendant a copy of this order.

DATED this 31st day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge